

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Steven Canonico,

Petitioner

v.

Nevada Department of Corrections, et al.

Respondents

Case No. 2:23-cv-01546-CDS-EJY

Order Directing Petitioner to Submit
Application to Proceed *In Forma Pauperis* or
Pay Filing Fee

Steven Canonico has submitted a pro se petition for writ of habeas corpus, pursuant to 28 U.S.C. § 2254. ECF No. 1-1. He has not, however, either paid the \$5.00 filing fee or submitted a completed application to proceed *in forma pauperis* with the required inmate account statements for the past sixth months and financial certificate. 28 U.S.C. § 1915(a)(2); Local Rule LSR 1-2.

This action therefore is subject to dismissal without prejudice as improperly commenced. However, it is unclear from the papers presented whether a dismissal without prejudice will materially affect a later analysis of any timeliness issue with respect to a new action.

It is therefore ordered that within 30 days of the date of this order, petitioner must submit either the \$5.00 filing fee or a fully completed application to proceed *in forma pauperis*.

It is further ordered that failure to do so may result in the dismissal of this action without prejudice and without further notice.

The Clerk of Court is instructed to retain the petition but not file it at this time.

DATED: November 16, 2023


UNITED STATES DISTRICT JUDGE